

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Corey Bailey, et al.,

Civil No. 09-1230 (RHK/AJB)

Plaintiffs,

ORDER

v.

Border Foods, Inc., et al.,

Defendants.

Having reviewed the written submissions with respect to Defendant's Motion to dismiss Plaintiff's Second Amended Complaint, the Court has determined that oral argument will not be of material assistance in resolving said Motion. Accordingly, the September 30, 2009 hearing is **CANCELED** and said Motion is deemed submitted for decision upon the written record.

Dated: September 24, 2009

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge